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To: Mail Stop Amendment  
Firm: U. S. Patent and Trademark Office  
Fax #: 571-273-8300  
From: Ronald J. Kubovcik (Registration No. 25,401)  
Date: February 3, 2009  
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Re : Appl. No. : 10/533,307 Confirmation No. 5070  
Applicant : Yukihiro MORINAGA et al.  
Filed : April 29, 2005  
TC/A.U. : 1615  
Examiner : Tristan J. Mahyera  
Dkt. No. : NPR-169  
Cust. No. : 20374

Document transmitted herewith:

1. RESPONSE TO RESTRICTION REQUIREMENT DATED JANUARY 6, 2009

(Due: February 6, 2009)

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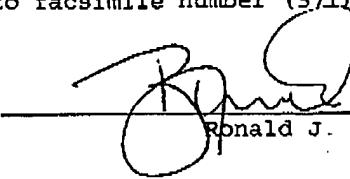
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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I hereby certify that this paper is being facsimile transmitted on February 3, 2009, to the United States Patent and Trademark Office to facsimile number (571)273-8300.

  
Ronald J. Kubovcik

RESPONSE TO RESTRICTION REQUIREMENT DATED JANUARY 6, 2009

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

February 3, 2009

Sir:

This paper is submitted in response to the Office Action dated January 6, 2009.

In the Action, restriction is required among:

- (I) Claims 1-15 and 18-21, identified in the Action as being directed to a biodegradable substrate;
- (II) Claim 16, identified in the Action as being directed to a prosthetic material for tissue regeneration; and

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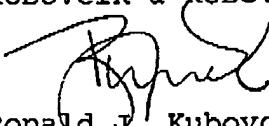
(III) Claim 17, identified in the Action as being directed to a cultured tissue.

Applicants elect the subject matter of group (I), claims 1-15 and 18-21, for prosecution in this application. This election is made without traverse with the understanding that the applicants' rights under 35 U.S.C. §§ 120 and 121 to the filing of a divisional application directed to the non-elected subject matter are retained.

The foregoing is believed to be a complete and proper response to the Office Action dated January 6, 2009. A favorable action on the merits of the elected subject matter is believed to be in order and is respectfully solicited.

In the event any fees are required, please also charge our Deposit Account No. 111833.

Respectfully submitted,  
KUBOVCIK & KUBOVCIK

  
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